



Norman H. Bangerter  
Governor

Dee C. Hansen  
Executive Director

Dianne R. Nielson, Ph.D.  
Division Director

# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340

February 3, 1989

Mr. John Bootle  
U.S. Pollution Control Inc.  
8960 North Highway 40  
Lake Point, Utah 84074

Dear Mr. Bootle:

Re: Final Approval of Permit Transfer, Release of Previous  
Reclamation Surety Bond No. \_\_\_\_\_, Marblehead Mountain  
Facility, M/045/024 Tooele County, Utah

The Board of Oil, Gas and Mining, during its January 26, 1989 hearing, approved the amount and form of the reclamation surety provided by U.S. Pollution Control Inc. (USPCI) for the Marblehead Mountain Processing Facilities Site. The Division hereby releases the existing surety bond, No. \_\_\_\_\_ in the amount of \$119,257. The new surety bond, No. \_\_\_\_\_ effectively replaces the old surety bond.

As a condition to final approval of this permit transfer, the Board has asked that USPCI complete the enclosed Reclamation Contract form. This form will be attached to USPCI's revised reclamation surety bond. Upon our receipt of the signed Reclamation Contract form from USPCI, all of the requirements to finalize the permit transfer process for the Marblehead Mountain Processing Facility will be complete. I have also enclosed copies of the permit transfer form and the surety bond, Form MR-5, which have been signed by the Division Director and Board Chairman.

If possible, please return the completed form by March 10, 1989. Thank you for your patience and cooperation in completing this permitting action. Please contact me should you have any questions regarding the content of the Reclamation Contract.

Sincerely,

D. Wayne Hedberg  
Reclamation Hydrologist

jb  
Enclosures  
cc: Phil Raines, Marblehead Lime  
Lowell Braxton  
MN3/61

an equal opportunity employer





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801-538-5340

January 25, 1989

TO: Board of Oil, Gas and Mining

THRU: Kenneth E. May, Associate Director, Mining *KEM*

THRU: Lowell P. Braxton, Administrator *LOB*

FROM: D. Wayne Hedberg, Senior Reclamation Specialist/Hydrologist *DWH*

RE: Request for Board Concurrence, Amount and Form of  
Reclamation Surety & Permit Transfer, Marblehead Mountain  
Processing Facility, Utah Marblehead Lime Company/U. S.  
Pollution Control Incorporated, M/045/024, Tooele County,  
Utah

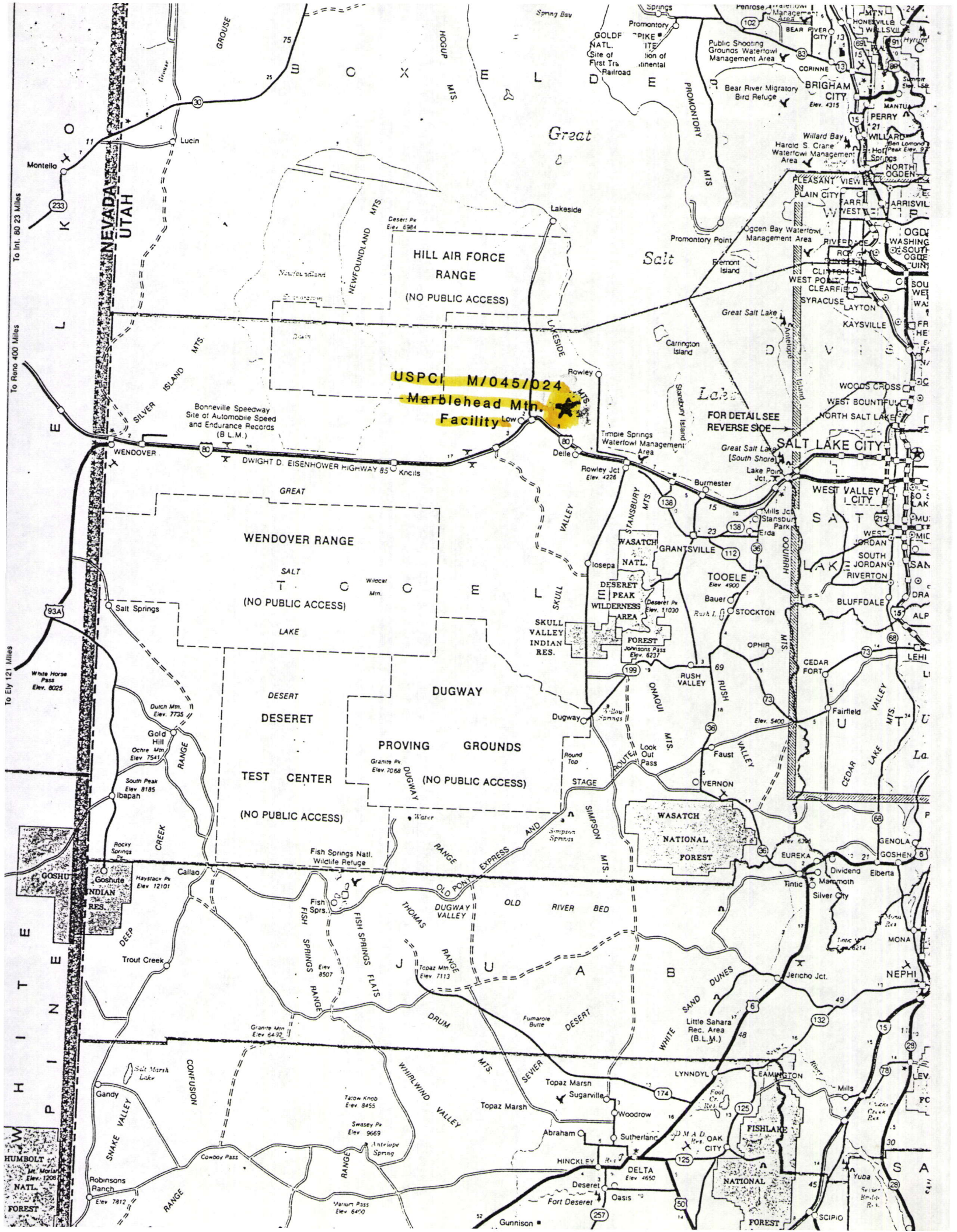
Attached for your information is a copy of the permit transfer documents and an updated Reclamation Surety Estimate for U. S. Pollution Control Incorporated's (USPCI), Marblehead Mountain Limestone Processing Plant, located in Tooele County, Utah. Utah Marblehead Lime Company has transferred 110 acres of their original 159 acre approved permit to USPCI, but will retain ownership and operation of the adjacent 49 acre limestone/dolomite quarry. Utah Marblehead Lime Company's original permit (M/045/003), included both the quarry and the processing plant. The Division also holds a revised \$51,400 reclamation surety bond from Marblehead Lime Company for the quarry site.

USPCI has submitted a recently revised reclamation surety (surety bond) in the amount of \$269,000 for reclamation of the disturbed area associated with this processing facility. A copy of the surety bond is attached for your review.

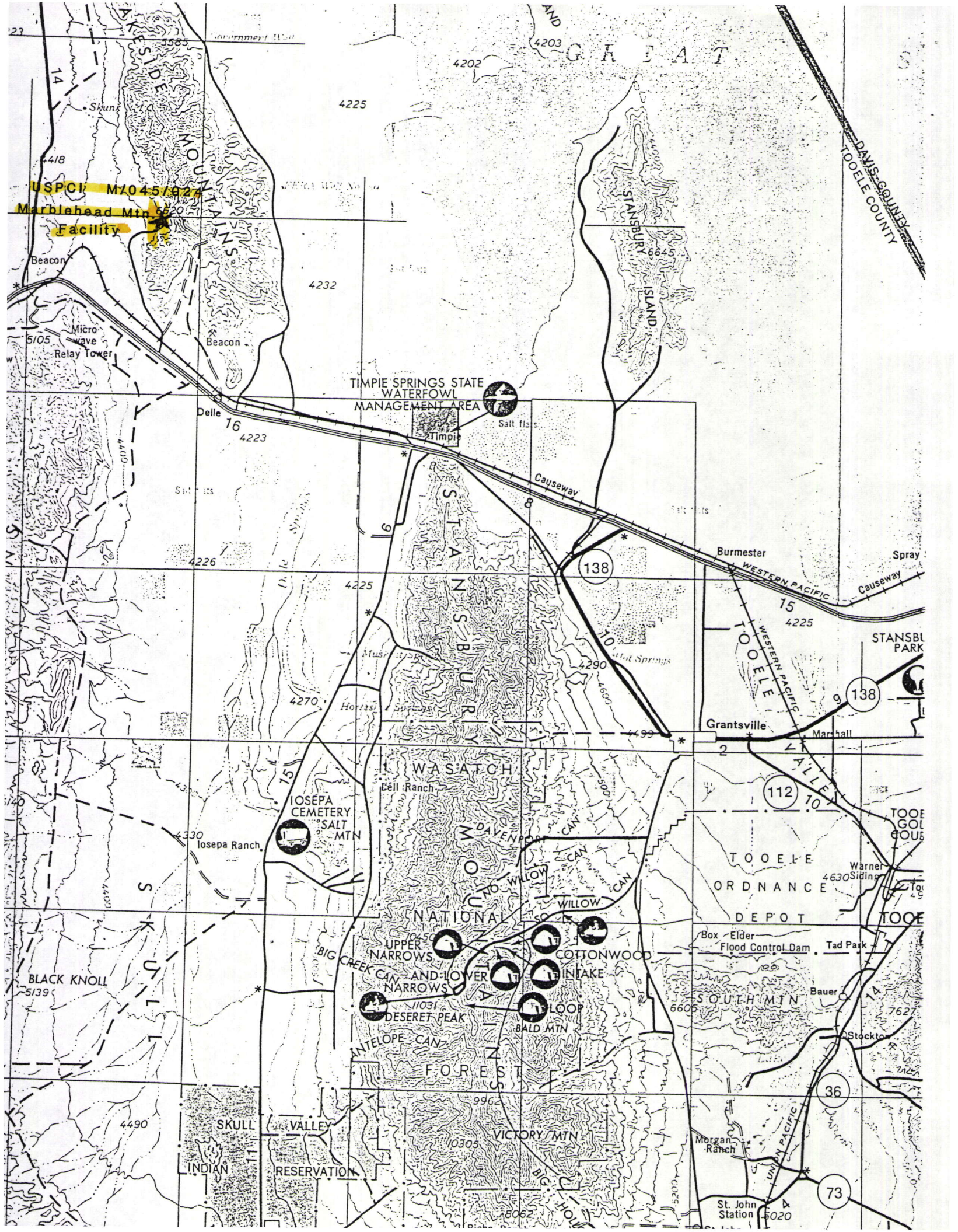
Upon the Board's acceptance of the amount and form of the revised reclamation surety, the Division will issue written approval to finalize the permit transfer between USPCI and Marblehead Lime Company.

DWH/jb  
Attachments  
MN2/45











U.S. POLLUTION CONTROL INCORPORATED  
MARBLEHEAD MOUNTAIN PROCESSING PLANT SITE - M/045/024

Processing Facilities to be Reclaimed

<u># OF UNITS</u>	<u>DESCRIPTION OF FACILITY</u>
1	powder magazine
1	cap house
3	substations (@9 transformers)
3	crusher bldgs. (1st, 2nd, 3rd)
@2300 (ft)	conveyor belts & support structures (@12 primary & several shorter secondary belts)
1	truck scales
1	water well & small pump house
@3200 (ft)	rail trackage (2 tracks & 1 spur)
2	bag houses
2	rotary kilns
1	burner bldg.
1	office/warehouse/shop bldg.
1	conveyor junction bldg.
6	finished material bins
3	raw material bins
1	kiln bldg.
2	concrete reclaim tunnels
1	reject bin
@200 (T)	scrap steel (in storage)
1	water tank
1	power line & poles



# USPCI Marblehead Mountain Plant Site

## Reclamation Estimate M/045/024

Prepared by  
Utah State Division of Oil, Gas and Mining  
November 18, 1988

Description	Quantity	Unit	\$/Unit	Total Cost (\$)
<b>Site Preparation</b>				
Demolish and Bury Buildings	31,000	Square Feet	2.88	89,300
Remove Conveyor Structures	2,300	Linear Feet	3.50	8,100
Remove Railroad Tracks	3,200	Linear Feet	13	41,600
Remove Substations		Lump Sum		12,000
Remove Scrap and Trash		Lump Sum		8,000
Subtotal				159,000
<b>Regrading</b>				
Rip Roads	11,000	Linear Feet	0.80	8,800
Contour Disturbed Areas	65	Acres	545	35,400
Subtotal				44,200
<b>Revegetation *</b>				
Fertilizer	80	Acres	25	2,000
Seed Mix	80	Acres	114	9,100
Broadcast Seed and Fertilizer	80	Acres	24	1,900
Scarify Seed into Ground	80	Acres	23	1,800
Subtotal				14,800
=====				
Totals				218,000
Contingency (10%)				21,800
TOTAL RECLAMATION COST (1988 DOLLARS)				239,800
=====				
TOTAL RECLAMATION COST (1993 DOLLARS) @ 2.3% Annual Inflation				269,000

\* Note: This estimate does not include the cost of  
topsoil redistribution or mulch application.



(August 1985)  
(Noncoal)**RECEIVED**  
DEC 14 1988DIVISION OF  
OIL, GAS & MININGSTATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
(801) 538-5340Bond Number  
Permit Number ACT/045/003 024 DWH  
11/30/89

## THE MINED LANDS RECLAMATION ACT

BOND  
\*\*\*\*\*

The undersigned USPCI, INC. 2000 Classen Center, Oklahoma City OK. 73106  
as principal, and Safeco Insurance Company of America as  
surety, hereby jointly and severally bind ourselves, our heirs, administrators,  
executors, successors and assigns unto the State of Utah, Division of Oil, Gas  
and Mining in the penal sum of Two Hundred Sixty Nine Thousand and No/100  
dollars (\$ 269,000.00 ).

The principal estimated in the Mining and Reclamation Plan filed with the  
Division of Oil, Gas and Mining on the 30th day of June  
1977, that 159 acres of land will be disturbed  
by this mining operation in the State of Utah. A description of the disturbed  
land is attached hereto as Exhibit "A."

When the Division has determined that the principal has satisfactorily  
reclaimed the above-mentioned lands affected by mining in accordance with the  
approved Mining and Reclamation Plan and has faithfully performed all  
requirements of the Mined Land Reclamation Act, and complied with the Rules  
and Regulations adopted in accordance therewith, then this obligation shall be  
void; otherwise it shall remain in full force and effect until the reclamation  
is completed as outlined in the approved Mining and Reclamation Plan.

If the approved plan provides for reclamation of the land affected on a  
piecemeal or cyclic basis, and the land is reclaimed in accordance with such  
plan, then this bond may be reduced periodically.

In the converse, if the plan provides for a gradual increase in the area  
of the land affected or increased reclamation work, then this bond may  
accordingly be increased with the written approval of the surety company.

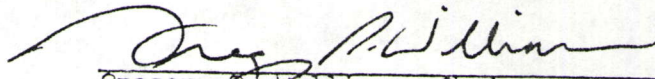
The Division shall only accept the bond of a surety company if the bond is  
noncancellable by the surety at any time for any reason including, but not  
limited to nonpayment of premium or bankruptcy of the permittee during the  
period of liability.




NOTE: Where one signs by virtue of Power of Attorney for a surety company, such Power of Attorney must be filed with this bond. If the principal is a corporation, the bond shall be executed by its duly authorized officer.

Dated this 12th day of December, 19 88.

State of Utah  
Board of Oil, Gas and Mining

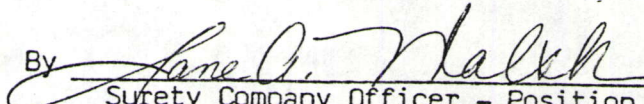
  
\_\_\_\_\_  
Gregory P. Williams, Chairman (1/26/89)

USPCI, Inc.  
\_\_\_\_\_  
Principal (Company)

By   
\_\_\_\_\_  
Company Officer - Position  
Larry Shelton, Executive V.P.

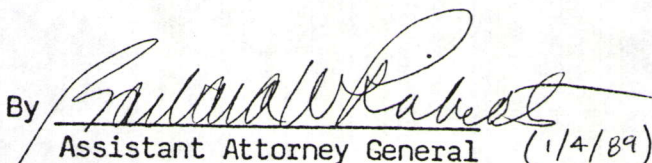
Date: December 12, 1988

Safeco Insurance Company of America  
\_\_\_\_\_  
Surety (Company)

By   
\_\_\_\_\_  
Surety Company Officer - Position  
Jane A. Walsh, Attorney-in-fact

DATE: \_\_\_\_\_

APPROVED AS TO FORM:

By   
\_\_\_\_\_  
Assistant Attorney General (1/4/89)



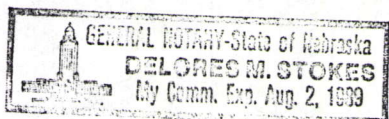
AFFIDAVIT OF QUALIFICATION

Jane A. Walsh, being first duly sworn, on oath deposes and says that he/she is the (officer or agent) Attorney-in-fact of said Surety Company, and that he/she is duly authorized to execute and deliver the foregoing obligations; that said Surety Company is authorized to execute the same and has complied in all respects with the laws of Utah in reference to becoming sole surety upon bonds, undertakings and obligations.

(Signed)

Jane A. Walsh  
Surety Company Officer - Position  
Jane A. Walsh, Attorney-in-fact

Subscribed and sworn to before me this 13<sup>th</sup> day of December, 1988.



Delores M. Stokes  
Notary Public

My Commission Expires:

August 2, 1989.





POWER  
OF ATTORNEY

SAFECO INSURANCE COMPANY OF AMERICA  
GENERAL INSURANCE COMPANY OF AMERICA  
HOME OFFICE: SAFECO PLAZA  
SEATTLE, WASHINGTON 98185

No. \_\_\_\_\_

KNOW ALL BY THESE PRESENTS:

That **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**, each a Washington corporation, does each hereby appoint

-----HARRY A. KOCH, JR.; DOUGLAS G. DURBIN; D. M. STOKES; HARRY D. KOCH;  
PEGGY SAPIENZA; JANE A. WALSH, Omaha, Nebraska-----

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA** have each executed and attested these presents

this 11th day of April, 1986

CERTIFICATE

RECEIVED  
DEC 14 1988  
DIVISION OF  
OIL GAS & MINING

Extract from the By-Laws of **SAFECO INSURANCE COMPANY OF AMERICA**  
and of **GENERAL INSURANCE COMPANY OF AMERICA**:

Article V, Section 13 — FIDELITY AND SURETY BONDS . . . the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business. On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of **SAFECO INSURANCE COMPANY OF AMERICA**  
and of **GENERAL INSURANCE COMPANY OF AMERICA** adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Boh A. Dickey, Secretary of **SAFECO INSURANCE COMPANY OF AMERICA** and of **GENERAL INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this 12th day of December, 19 88



*Boh A. Dickey*  
BOH A. DICKEY, SECRETARY